UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/550,420	04/17/2000	Karen L. Harrison	IBMN.008US1 (0503)	1529

7590   04/19/2006

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EXAMINER
TO, JENNIFER N

ART UNIT	PAPER NUMBER
2195	

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

<table>
<tr>
<td rowspan="2"><i>Office Action Summary</i></td>
<td>Application No.

09/550,420</td>
<td>Applicant(s)

HARRISON ET AL.</td>
</tr>
<tr>
<td>Examiner

Jennifer N. To</td>
<td>Art Unit

2195</td>
<td></td>
</tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>24 January 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-35</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-35</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some *   c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1.   Examiner hereby withdraws the finality of the previous office action dated

01/24/2006.

2.   Claims 1-37 are pending for examination.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1-37 are rejected under 35 U.S.C. 102(e) as being anticipated by

Brown et al. (hereafter Brown) (U.S. Patent No. 6046817).

5.   As per claim 1, Brown teaches the invention as claim including a method

for dictating the order that print jobs received over multiple data channels of a

printer are printed (abstract), comprising:

        assigning priority values to data channels of a printer that receive print job

(serial port, SIR, MIR, FIR, parallel port, Ethernet port, Token Ring, col. 20, lines

24-30); and

associating the priority values assigned to the data channel of the printer

with the print jobs received by the printer at its respective data channel (this step

is inherently teaches by Brown, the higher the port speed, the higher the

associated priority value).

printing the print jobs by the printer in an order corresponding to their

associated priority values (col. 19, lines 50-col. 20, lines 14; col. 21, lines 21-54).

6.   As per claim 2, Brown teaches that wherein assigning a priority value

comprises assigning a different priority value to each data channel that receives

the print jobs (serial port, SIR, MIR, FIR, parallel port, Ethernet port, Token Ring,

col. 20, lines 24-46).

7.   As per claim 3, Brown teaches that wherein assigning a priority value

comprises assigning two or more of the data channels equal priority values (col.

20, lines 24-30, Ethernet port, and Token Ring each have been assigned to 20%

of pool area), and wherein printing the print jobs received via two or more data

channels having equal priority values in an order in which they were received via

the data channels (col. 19, lines 50-65).

8.   As per claim 4, Brown teaches that wherein printing the print jobs in an

order from highest priority to lowest priority (col. 19, lines 50-col. 20, lines 14).

9.   As per claim 5, Brown teaches that wherein at least one of the data

channels is dedicated as internal print data channel to receive internally-

generated print jobs (abstract, lines 15-17; col. 4, lines 18-27).

10.   As per claim 6, Brown teaches assigning the internal print data channel

the highest possible priority (serial port, SIR, MIR, FIR, parallel port, Ethernet

port, Token Ring, col. 20, lines 24-46).

11.   As per claim 7, Brown teaches assigning a priority value of each of the

data channels that receives a different predefined group of print jobs types (col.

25, lines 53-58).

12.   As per claim 8, Brown inherently teaches determining whether a plurality

of the print jobs currently pending have equivalent associated priority values; and

printing the print jobs that have the equivalent associated priority values in an

order in which they were received via their respective data channels (col. 20,

lines 20-30; the jobs from Ethernet and Token Ring had the same priority values

(20% of pool area), before the printer processed any jobs, it needs to determine if

any jobs are pending for these two ports, if so, then whoever received by the

printer first, it will get process first).

13.   As per claim 9, Brown inherently teaches monitoring time arrival of the

print jobs (in order to determine which of the job received first, the system need

to monitor the time arrival).

14.   As per claim 10, Brown inherently teaches determining the order in which

the print jobs by queuing the print jobs in a FIFO manner (any jobs that store on

a queue is process in FIFO manner).

15.   As per claims 11-12, Brown inherently teaches queuing the print jobs in an

increasing order, and processing in the order in which the print jobs are queued

(any print jobs that are queue had to be in increasing order and process in the

same way, because the first job come in (highest priority, first in the line) is

stored in the head of the queue and so on).

16.   As per claims 13-14, they are rejected for the same reason as claim 1

above.

17.   As per claims 15-40, they are rejected for the same reason as claims 1-12

above. In addition, Brown teaches one or more computing devices arranged in a

network, wherein the one or more computing devices transmit the print jobs over

the network (fig. 1; col. 7, lines 55-67; col. 8, lines 1-4); and a compare module to

receive the priority values corresponding to the print jobs received over the data

channels of the printing device and to identify the print job exhibiting the highest

priority (fig. 12; col. 19, lines 31-67; col. 20, lines 1-67).

Response to Arguments

18.   Applicant's arguments with respect to claims 1-37 have been considered

but are moot in view of the new ground(s) of rejection.

Conclusion

19.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

   Katsuyoshi (U.S. Patent No. 6341907) teaches printing the print jobs by

the printer in an order corresponding to their associated priority values.

   Davidson et al. (U.S. Patent No. 5636333) teaches assigning priority

values to data channels and associating the priority value assigned to the data

channel of the printer with the print jobs received by the printer at its respective

data channel (figs. 1-5, abstract; col. 2, lines 30-60; col. 3, lines 17-67; col. 4,

lines 1-63; col. 6, lines 35-53).

20.   Applicant's amendment necessitated the new ground(s) of rejection

presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.**

See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as

set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

21.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer N. To whose telephone number is (571) 272-7212. The examiner can normally be reached on M-T 6AM- 3:30 PM, F 6AM- 2:30 PM.

22.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

23.   Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free).

                                            Jennifer N. To
                                            Examiner
                                            Art Unit 2195

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